



General Assembly

Amendment

January Session, 2011

LCO No. 7388

SB0088107388SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. MCLACHLAN, 24th Dist.

To: Subst. Senate Bill No. 881

File No. 113

Cal. No. 114

"AN ACT CONCERNING THE POWERS OF THE STATE TREASURER, DIVESTMENT OF STATE FUNDS INVESTED IN COMPANIES DOING BUSINESS IN IRAN AND SUDAN, AND THE MEMBERSHIP OF THE TEACHERS' RETIREMENT BOARD AND THE CONNECTICUT STATE EMPLOYEES RETIREMENT COMMISSION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2011*) Each member of the
4 General Assembly shall:

5 (1) Be familiar with and abide by the Code of Ethics for Public
6 Officials as set forth in chapter 10 of the general statutes;

7 (2) Provide energetic and diligent representation of his or her
8 constituents and be accessible to all constituents;

9 (3) Fairly characterize the issues confronting the General Assembly

10 and accurately inform the public regarding the conduct of his or her
11 office;

12 (4) Act with due regard for the general welfare of the people of the
13 state in exercising the power of confirmation in accordance with
14 chapter 46 of the general statutes;

15 (5) Be informed and prepared and recognize all sides of an issue;

16 (6) Be informed about, and abide by, the rules that govern the
17 proceedings of the General Assembly, including, but not limited to, the
18 Joint Rules of the Senate and the House of Representatives, rules to
19 regulate the proceedings of the Senate and the rules to regulate the
20 proceedings of the House of Representatives, as applicable;

21 (7) Uphold the Constitution of the state and the Constitution of the
22 United States;

23 (8) Adhere to the spirit and the letter of any provisions of the
24 general statutes, rules or regulations governing official conduct;

25 (9) Conduct himself or herself in the performance of his or her
26 duties in a manner that does not discredit the House of
27 Representatives or the Senate, as applicable;

28 (10) Treat fellow members, staff and the general public with
29 fairness, respect and courtesy, regardless of political or religious
30 beliefs, age, race, ethnicity, sex, sexual orientation or physical
31 disability;

32 (11) Afford to every person who wishes to participate in the
33 legislative process the opportunity to be heard according to established
34 procedures; and

35 (12) Consider at all times whether his or her conduct would create
36 in reasonable minds the perception that his or her ability to carry out
37 legislative responsibilities with integrity and independence is
38 impaired.

39 Sec. 502. (NEW) (*Effective from passage*) (a) Any member of the Senate
40 may submit a complaint, under penalty of false statement, concerning
41 alleged misconduct by a member of the Senate to the president pro
42 tempore of the Senate and the minority leader of the Senate. Not later
43 than seven days after receipt of such a complaint, the president pro
44 tempore shall appoint a bipartisan committee on ethics that shall
45 consist of six members, three of whom shall be appointed with the
46 concurrence of the minority leader of the Senate. The president pro
47 tempore shall appoint two cochairpersons of the committee, one of
48 whom shall be appointed upon the recommendation of the minority
49 leader of the Senate. Said committee shall have cognizance of any
50 official Senate action in response to any such complaint or misconduct
51 by any member of the Senate.

52 (b) Any member of the House of Representatives may submit a
53 complaint, under penalty of false statement, concerning alleged
54 misconduct by a member of the House of Representatives to the
55 speaker of the House of Representatives and the minority leader of the
56 House of Representatives. Not later than seven days after receipt of
57 such a complaint, the speaker of the House of Representatives shall
58 appoint a bipartisan committee on ethics that shall consist of six
59 members, three of whom shall be appointed by the minority leader of
60 the House of Representatives. The speaker of the House of
61 Representatives shall appoint two chairpersons of the committee, one
62 of whom shall be appointed upon the recommendation of the minority
63 leader of the House of Representatives. Said committee shall have
64 cognizance of any official House of Representatives' action in response
65 to any such complaint or misconduct by any member of the House of
66 Representatives.

67 (c) As used in this section, "misconduct" means (1) any conviction or
68 finding by a state agency of a substantial violation of state or federal
69 election laws, or of the state code of ethics, or (2) any legal wrong that
70 materially impairs the ability of the member to perform the duties of
71 his or her office or that substantially undermines public trust and
72 confidence in the Senate or House of Representatives, as applicable.

73 Nothing in this section shall be construed to affect the powers and
74 duties of the Office of State Ethics or the Citizen's Ethics Advisory
75 Board. The provisions of subsections (d) to (i), inclusive, of this section
76 shall set forth the procedures and requirements for any committee
77 established in accordance with subsection (a) or (b) of this section.

78 (d) A quorum, consisting of not less than two members of each
79 caucus, shall be required to conduct any official business of the
80 committee. All committee decisions shall require four affirmative
81 votes.

82 (e) The committee shall conduct a preliminary investigation into any
83 such complaint received pursuant to subsection (a) or (b) of this
84 section. In the event that a complaint concerns alleged misconduct by
85 the president pro tempore of the Senate, the duties of the president pro
86 tempore under this section shall become the duties of the majority
87 leader of the Senate. If such complaint concerns alleged misconduct of
88 the minority leader of the Senate, the duties of the minority leader of
89 the Senate under this section shall become the duties of the minority
90 leader pro tempore of the Senate. If such complaint concerns alleged
91 misconduct by the speaker of the House of Representatives, the duties
92 of the speaker under this section shall become the duties of the
93 majority leader of the House of Representatives. If such complaint
94 concerns alleged misconduct of the minority leader of the House of
95 Representatives, the duties of said minority leader shall become the
96 duties of one of the deputy minority leaders of the House of
97 Representatives.

98 (f) Any such preliminary investigation of a complaint shall be
99 confidential and not subject to disclosure. Upon the conclusion of any
100 preliminary investigation, the committee shall vote to either (1)
101 dismiss the complaint, or (2) make a finding of probable cause that
102 misconduct has occurred. Upon a finding of probable cause by the
103 committee, all information relating to the preliminary investigation
104 shall, to the extent allowed by state and federal law, be made available
105 to the public.

106 (g) The committee shall undertake a full investigation only after a
107 finding of probable cause. All information relating to a full
108 investigation shall, to the extent allowed by state and federal law, be
109 made available to the public. All proceedings relating to a full
110 investigation shall be open to the public. Upon the completion of a full
111 investigation, the committee shall report its findings and
112 recommendation in the form of a resolution to be voted upon by the
113 Senate or House of Representatives, as applicable. Such
114 recommendation shall include one of the following: (1) Expulsion, (2)
115 censure, (3) reprimand, or (4) no action. The full Senate or House of
116 Representatives, as applicable, shall vote on any such resolution not
117 later than ten days after the committee reports out any such resolution.

118 (h) The subject of any such complaint or investigation may be
119 represented by counsel and may appear before the committee on his or
120 her own behalf.

121 (i) The committee shall adopt rules and procedures to govern its
122 proceedings. Such rules shall include, but not be limited to, standards,
123 rules and methodology for conducting such preliminary and full
124 investigation, respectively."